

AMENDED IN SENATE APRIL 7, 2011

AMENDED IN SENATE MARCH 23, 2011

SENATE BILL

No. 380

Introduced by Senator Wright

February 15, 2011

An act to add Section 2190.7 to the Business and Professions Code, relating to medicine.

LEGISLATIVE COUNSEL'S DIGEST

SB 380, as amended, Wright. Continuing education: nutrition course.

Existing law, the Medical Practice Act, provides for the licensure and regulation of physicians and surgeons by the Medical Board of California. Under that act, the board is required to adopt and administer standards for the continuing education of physicians and surgeons. Existing law ~~specifically~~ requires physicians and surgeons to complete a mandatory continuing education course in the subjects of pain management and the treatment of terminally ill and dying patients, except that it does not apply to physicians *and surgeons* practicing in pathology or radiology specialty areas. ~~Existing law also authorizes the board to adopt regulations exempting certain other physicians and surgeons.~~

This bill would require *specified* physicians and surgeons to complete, by December 31, 2016, *or as otherwise specified*, a mandatory continuing education course in the subject of nutrition and lifestyle behavior for the *prevention and* treatment of chronic diseases, except that it would not apply to physicians *and surgeons* practicing in pathology or radiology specialty areas. ~~The bill would authorize the board to adopt regulations exempting from this continuing education~~

requirement physicians who do not engage in direct patient care, do not provide patient consultations, or *who* do not reside in California.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) In 2008, U.S. health care spending was about \$7,681 per
4 resident and accounted for 16.2 percent of the nation's gross
5 domestic product; this is among the highest of all industrialized
6 countries. Expenditures in the United States on health care
7 surpassed \$2.3 trillion in 2008, more than three times the \$714
8 billion spent in 1990, and over eight times the \$253 billion spent
9 in 1980.

10 (b) It is estimated that health care costs for chronic disease
11 treatment account for over 75 percent of national health
12 expenditures.

13 (c) Seven out of 10 deaths among Americans each year are from
14 chronic diseases. Heart disease, cancer, and stroke account for
15 more than 50 percent of all deaths each year.

16 (d) The last major report from the World Health Organization
17 in March 2003 concluded diet was a major factor in the cause of
18 chronic diseases.

19 (e) Dramatic increases in chronic diseases have been seen in
20 Asian countries since the end of WWII with the increase in the
21 gross national product and change to the western diet.

22 (f) Only 19 percent of students believed that they had been
23 extensively trained in nutrition counseling. Fewer than 50 percent
24 of primary care physicians include nutrition or dietary counseling
25 in their patient visits.

26 (g) Practicing physicians continually rate their nutrition
27 knowledge and skills as inadequate. More than one-half of
28 graduating medical students report that the time dedicated to
29 nutrition instruction is inadequate.

30 SEC. 2. Section 2190.7 is added to the Business and Professions
31 Code, to read:

32 2190.7. (a) ~~All physicians and surgeons practicing primary~~
33 *care physicians and all other physicians and surgeons who provide*

1 *care or consultation for chronic diseases* shall complete a
2 mandatory continuing education course in the subject of nutrition
3 and lifestyle behavior for the *prevention and* treatment of chronic
4 diseases. For the purposes of this section, this course shall be a
5 one-time requirement of seven credit hours within the required
6 minimum established by regulation, to be completed by December
7 31, 2016. ~~All physicians and surgeons~~

8 (b) *All physicians and surgeons subject to subdivision (a) who*
9 *are* licensed on and after January 1, 2012, shall complete this
10 requirement within four years of their initial license or by their
11 second renewal date, whichever occurs first. The board may verify
12 completion of this requirement on the renewal application form.

13 ~~(b) By regulatory action, the board may exempt a physician and~~
14 ~~surgeon by practice status category from the requirement in~~
15 ~~subdivision (a) if the physician and surgeon does not engage in~~
16 ~~direct patient care, does not provide patient consultations, or does~~
17 ~~not reside in the State of California.~~

18 (c) This section shall not apply to physicians and surgeons
19 practicing in pathology or radiology specialty areas *or who do not*
20 *reside in the State of California.*